

Appl. No. 09/780,281
Response to Office Action of July 12, 2005

REMARKS

This Response is submitted in reply to the Office Action dated July 12, 2005. Claims 1-12 are pending in the patent application. Claims 1, 5-7 and 9-12 have been amended. The Abstract and the Specification have been amended. No new matter has been added by any of the amendments made herein. Claims 1-12 were rejected under 35 U.S.C. §103(a) as being unpatentable over Shteyn, U.S. Patent No. 5,907,556 in view of Tobias et al., U.S. Patent No. 5,812,545 ("Tobias"). At least for the reasons set forth below, Applicant believes that the rejections raised in the Office Action have been overcome and thus should be withdrawn.

Prompt and favorable action is respectfully solicited.

The Abstract was objected to because in line 11, the Office Action stated that "set to" should be "set by". The Abstract has been amended for clarification purposes. Applicant submits that, at least due to the clarifying amendment, the Office Action's objection is not valid.

The Office Action also objected to page 2, line 23 of the Specification, stating that "set to" should be "set by". This paragraph of the Specification has been amended for clarification purposes. Applicant submits that, at least due to the clarifying amendment, the Office Action's objection is not valid.

Claims 1-12 were rejected as being unpatentable over Shteyn in view of Tobias.

Claim 1 relates to a controlling apparatus for exchanging an information signal among a plurality of electronic devices through a network system. The controlling apparatus includes a time setting function determining part and a time information setting part. The time setting function determining part determines whether the plurality of electronic devices have a time setting function. The time information setting part sets each of the electronic devices determined as devices having the time setting function to time information obtained by a time information obtaining part.

Shteyn relates to a low bit-rate PC-based home network that is merged with a high bit-rate home network. The Office Action admits that Shteyn does not teach, disclose or suggest a time setting function determining part as described in Claim 1. However, the Office Action states that the DCM is a function determining part for determining whether the plurality of electronic devices have a function and that Page 1, Line 14 to Page 2, Line 4 of the Specification of the Application teaches that some HAVi devices use a time compensating function and that

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others do not. The Office Action then declares that it would have been obvious to one of ordinary skill in the art at the time of the invention to have a time setting function determining part for determining whether the plurality of electronic devices have a time setting function as described in Claim 1. Applicant disagrees for at least the following reasons.

A DCM, Device Control Module, is a software element that provides an interface for control of the device. Col. 3, Lines 63-65. Shteyn does not teach, suggest or disclose that a DCM determines whether a device has a particular functionality. Instead, the DCM is merely an interface. Further, Shteyn does not teach, suggest or disclose any part that determines whether a device has a particular functionality. A DCM Manager is taught only as something that installs DCMs and the registry is taught only as maintaining information about appliances. Neither installing DCMs nor maintaining information related to DCMs is the same as determining whether a device has a particular functionality. Since Shteyn does not teach, suggest or disclose a part that determines whether a device has a particular functionality, Shteyn cannot teach, suggest or disclose the time setting function determining part as described in Claim 1.

Even if Shteyn did teach a part that determines whether devices have a particular functionality, Shteyn would still not teach, suggest or disclose the time setting function determining part as described in Claim 1. Page 1, Line 14 to Page 2, Line 4 of the Specification of the Application states that some devices are equipped with a time compensating function and others are not. However, Page 1, Line 14 to Page 2, Line 4 of the Specification does not teach, disclose or suggest that presence or lack of the time compensating function is made known to any other device on the network. The combination of Page 1, Line 14 to Page 2, Line 4 of the Specification and Shteyn, does nothing to suggest that the time compensating function is not purely an internally known and internally used function of a device having it. Since Shteyn combined with Page 1, Line 14 to Page 2, Line 4 of the Specification does not teach, suggest or disclose that presence or lack of the time compensating function is made known to any other device on the network, the combination cannot teach, suggest or disclose the time setting function determining part as described in Claim 1.

Tobias relates to synchronization of the timing of various multimedia events. Like Shteyn, Tobias does not teach, disclose or suggest the time setting function determining part as described in Claim 1. For at least that reason, Tobias also does not teach, disclose or suggest the

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time information setting part as described in Claim 1, because the electronic devices having the time setting function must be determined if the time information setting part is to set each of the electronic devices determined as devices having the time setting function by the time setting function determining part to time information obtained by a time information obtaining part.

For at least these reasons, Claim 1 and Claims 2-10, which depend from Claim 1, are each patentably distinguished over Shteyn in view of Tobias and are in condition for allowance. For similar reasons, Claims 11 and 12 are each patentably distinguished over Shteyn in view of Tobias and are in condition for allowance.

In light of the above, Applicants respectfully submit that Claims 1-12 are patentable over the art of record. Accordingly, Applicants respectfully request that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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